

**REMARKS**

Claims 1-15 are currently pending. In the Office action mailed on April 6, 2004 ("the Office action"), the Examiner made the following disposition:

- I.) Objected to the Declaration.
- II.) Rejected claims 1-5 under 35 U.S.C. §101.
- III.) Rejected claims 1, 2, 6, 7, 11 and 12 under 35 U.S.C. §102(e) as being allegedly anticipated by *Mishra (U.S. Patent No. 6,345,315)*.
- IV.) Rejected claims 1-3, 6-8 and 11-13 under 35 U.S.C. §102(e) as being allegedly anticipated by *Weber (U.S. Patent No. 6,480,901)*.
- V.) Rejected claims 3-5, 8-10 and 13-15 under 35 U.S.C. §103(a) as being allegedly unpatentable over *Mishra* in view of *Bandhauer ("A zero generated code XPConnect proposal")*.

Applicant addresses the Examiner's disposition as follows:

I.) Objection to the Declaration:

Applicant submits herewith a newly executed Declaration, which replaces the previously filed Declaration.

Applicant respectfully submits the objection has been overcome and requests that it be withdrawn.

II.) Rejected claims 1-5 under 35 U.S.C. §101.

Independent claim 1 has been amended as per the Examiner's request to overcome the rejection. Claims 2-5 depend directly or indirectly from claim 1 and are therefore allowable for at least the same reasons that claim 1 is allowable.

Applicant respectfully submits the rejection has been overcome and requests that it be withdrawn.

III.) Rejection of claims 1, 2, 6, 7, 11 and 12 under 35 U.S.C. §102(e) as being allegedly anticipated by *Mishra* (U.S. Patent No. 6,345,315):

Applicant respectfully traverses the rejection.

Independent claims 1, 6 and 11, each as amended, each claim subject matter relating to issuing a method call using a first protocol, translating the method call from the first protocol to an intermediary protocol, and translating the method call from the intermediary protocol to a second protocol. The intermediary protocol is \*Connect.

This is clearly unlike *Mishra*, which fails to disclose or even suggest translating method calls to different protocols. *Mishra* creates "a protocol-independent communication" by "adding an interface layer as a communication session manager (referred to herein as session manager or segue component) between the existing communication protocol (or transport mechanism) in use and the application software." (Col. 3, lines 7 and 32-37). A segue component exists at the client and another segue component exists at the server. When sending information, for example, from the client to the server, the client segue component extracts the information from the client application software into a logical frame and then creates a physical frame, which includes the information, and sends the physical frame to the segue component at the server. In turn, the server segue component extracts the information from the received physical frame, and then inserts the information into a logical frame that it provides to the server application software. (Col. 6, lines 16-32; col. 9, lines 44-55).

Thus, unlike Applicant's claims 1, 6 and 11 that translate a method call to an intermediary protocol and then translate the intermediary protocol to a second protocol, *Mishra* fails to even relate to translating from one protocol to another. Instead, *Mishra* teaches protocol-independent communication that is provided by extracting information into a physical frame that is transmitted. *Mishra's* physical frame is not an intermediary protocol, but is merely an object that holds information to be transmitted. (Col. 6, lines 29-32). Accordingly, unlike claims 1, 6 and 11, *Mishra* fails to disclose or even suggest translating a first protocol to an intermediary protocol, and further could neither disclose nor suggest translating an intermediary protocol to

a second protocol. *Mishra* merely places data into a protocol-independent physical frame that can be read by segue components at each side of the communication. Therefore, *Mishra* fails to disclose or suggest claims 1, 6 and 11.

The Examiner argues that *Mishra* translates a first protocol to an intermediary protocol, because *Mishra* converts data from Unicode into byte-oriented data. (Col. 6, lines 50-52). However, Unicode is not a protocol, it is a character set. Unicode is merely a character encoding standard that uses two bytes (16 bits) to represent each character, which allows most of the written languages of the world to be represented by the single Unicode character set. (*Oxford Reference Online*, Oxford University Press, Rosenthal Library, 7 September 2004 <<http://www.oxfordreference.com/views/ENTRY.html?subview=Main&entry=t12.e3328>>, citing "Unicode" *A Dictionary of the Internet*, Darrel Ince, Oxford University Press, 2001; *Oxford Reference Online*, Oxford University Press, Rosenthal Library, 7 September 2004 <<http://www.oxfordreference.com/views/ENTRY.html?subview=Main&entry=t11.e5593>>, citing "Unicode" *A Dictionary of the Computing*, Oxford University Press, 1996 (copies attached hereto)). Thus, when *Mishra* converts information from Unicode to byte-oriented data, *Mishra* does not convert a first protocol to an intermediary protocol, but instead merely converts information from the Unicode character set to byte-oriented data.

Claims 2, 7 and 12 depend directly or indirectly from claims 1, 6 or 11 and are therefore allowable for at least the same reasons that claims 1, 6 and 11 are allowable.

Applicant respectfully submits the rejection has been overcome and requests that it be withdrawn.

IV.) Rejection of claims 1-3, 6-8 and 11-13 under 35 U.S.C. §102(e) as being allegedly anticipated by *Weber* (U.S. Patent No. 6,480,901):

Applicant respectfully traverses the rejection.

Independent claims 1, 6 and 11, each as amended, each claim subject matter relating to issuing a method call using a first protocol, translating the method call from the first protocol to an intermediary protocol, and translating the method call from the intermediary protocol to a second protocol. The intermediary protocol is \*Connect.

This is clearly unlike *Weber*, which fails to disclose or suggest \*Connect as an intermediary protocol. *Weber* discloses translating RPC protocol to UTM protocol to management protocol. (Col. 12, lines 8-22). Nowhere does *Weber* discuss the \*Connect protocol. Therefore, unlike claims 1, 6 and 11, *Weber* fails to disclose or even suggest \*Connect as an intermediary protocol.

For at least this reason, *Weber* fails to disclose or even suggest claims 1, 6 and 11.

Claims 2-3, 7-8 and 11-13 depend directly or indirectly from claims 1, 6 or 11 and are therefore allowable for at least the same reasons that claims 1, 6 and 11 are allowable.

Applicant respectfully submits the rejection has been overcome and requests that it be withdrawn.

V.) Rejection of claims 3-5, 8-10 and 13-15 under 35 U.S.C. §103(a) as being allegedly unpatentable over *Mishra* in view of *Bandhauer* ("A zero generated code XPConnect proposal"):

Applicant respectfully traverses this rejection.

Independent claims 1, 6 and 11 are allowable over *Mishra* as discussed above. *Bandhauer* still fails to disclose or suggest \*Connect as an intermediary protocol. Thus, *Mishra* in view of *Bandhauer* still fails to disclose or suggest claims 1, 6 and 11.

Claims 3, 5, 8, 10, 13 and 15 depend directly or indirectly from claims 1, 6 or 11 and are therefore allowable for at least the same reasons that claims 1, 6 and 11 are allowable.

Claims 4, 9 and 14 have been canceled.

Applicant respectfully submits the rejection has been overcome and requests that it be withdrawn.

**Conclusion**

In view of the above amendments and remarks, Applicant submits that claim 1-5, 7-8, 10-13 and 15 are allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

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